(1)

CLASS B

App F. IX—4

Previous References.

(1957.)

File No. AFD 86 FLD 57

Serial Nos.

Aff. Dept.

Later References.

Forest Br

MYSORE GOVERNMENT SECRETARIAT

Serial Nos.

Part B for

SUBJECT

Lands. N. K. Dist.

WD 04708—GPB—1,00,000—17-11-59.

(F)

26/8/57

8925

A
1/4/04

ಭಾಗ್ಯಲಕ್ಷ್ಮಿಕೆಳಿ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ,
ಅರಣ್ಯ, ಪರಿಸರ ಮತ್ತು ಜೀವಿ
ಶಾಸ್ತ್ರ ಇಲಾಖೆ (ಅರಣ್ಯ-ಬಿ)

Mysore Government
Secretariat

Sub:- Request of Shri Bamma Gurya and others of Mathadevaal for grant of 1.20 acres land out of Sy.No. 46A of Mathadevaal for Gaothana purpose.

File No. ... of 195... App. E. III

Serial No.

1 Letter No. GB/POR/SR.7, dated 19-7-57 from the Div. Commissioner, recommending the disforestment of land measuring 1-20 gts out of S.No. 46A of Mathadevaal for Gaothan purpose.

A.E. No 86/FWD 57

2 The collector has reported that the Conservator of forests Belgaum has no objection for disforestment of the land ~~and the same~~ for being assigned as Gaothana

3 The Conservator of forests Belgaum has reported that Govt may be moved to sanction disforestment of the area as a spl case.

4 Under the circumstances the area may be disforested and surrendered to the R.D. Poor being assigned as Gaothana. A draft E.O. is put up for approval.

4508 (RCB) 2 - SEP 1957

5 26/8/57 R.D may see up. before issue

E.O. Pl. 28.8.57 (R.O.) 28/8/57

6 In view of what has been reported by the Div. Commr Belgaum (at Pl/C) the proposal of the Div. Commr to disforest an area of one acre & 20 guntas of land out of the forest S.No. 46-A, of Village Malhadevaal, Sirsi Tq for granting the same to the Harijans for erecting the residential quarters, may perhaps be approved.

675

For orders.

7 May be agreed to

DS 30/8

DSRi 3769 7/9/57

Notes.—Contn. Sheet

5-9-57 5/9/57 US (Revenue) 8-9-57 D.S. R.D A.S. 9/9

Subject:-Lands;North Kanara district village gaothan for Harijans. Disforestment of land for village Mathadeval in taluka -Sirsi.

. . . . .

No.GB/FOR/SR-7
Belgaum,19-7-57

To

The Secretary to Government,
Agriculture and Forest Department,
BANGALORE.

Sir,

I forward herewith the case papers resting with the Collector of North Kanara's endorsement No.S-105/VII/419 - dated 12-7-1957 on the above subject, for the orders of Govt.

2. I agree with the Collector and recommend that Govt. may kindly be moved to accord necessary approval to disforest an area of one acre and twenty gunthas of land out of the forest S.No.46-A, of the village Mathadeval in taluka Sirsi, for being granted to the Harijans of the village for erecting residential quarters, as recommended by the Collector on the terms and conditions proposed in his endorsement under - reference.

Yours faithfully,

Divisional Commissioner,Belgaum.

M. G. S. App. F VI—G. 2]

SUBJECT Lands: Kanara — Village Gaothan for Harijans
Dis-forestment of land for Village Mathadeval,
Taluka Sirsi

Diary No. of letter replied to.....

Section

Serial No.

File No.

Mysore Government Secretariat

the 195

Date of issue..... 195

Signed by.....

Proceedings of the Government of Mysore

Read— Letter No. S-105/VII/419 Dated 3-5-57 from the Collector of Kanara proposing to Dis-forest an area of 1-20 G out of F.S. No. 46A of Mathadeval Tal Sirsi for being assigned for Gaothana.

Read:- Letter No. GB/1-DR/3R-7, Dated 19-7-57, from the Dist Commr, Belgaum recommending the proposal of the Collector

Order thereon.—No. AF-D 88 FLD 57 Govt. Dated 26.9.57.

An area of 1-20 G out of F.S. No. 46A of Mathadeval Tal Sirsi, Dist. N. Kanara should be Dis-forested and surrendered to the R.D. for being assigned for Gaothana purpose subject to the following conditions after laying out suitable plots

May this be—

(i) printed?
(ii) treated as a Standing Order?
(iii) published in the Gazette, English Part?
(iv) translated?
(v) placed at the disposal of the Press?
(vi) published in the Gazette, Kannada Part?

Issued vide ... 26.9.57

(5)

P92

(1) Plots may be disposed of free of occupancy price

(2) The grant shall be on non-alienable tenure.

(3) The grantees shall pay the non-agricultural assessment & fee fixed by the Draft Office under rule 8(2) of the Land Rev. Rules

(4) The grantees shall pay the usual measurement expenses.

(5) The grantees shall preserve the tree growth in the area till disposed of by the Forest Deptt.

(6) The grantees shall construct their houses within two years of the grant according to the building regulations in force.

(7) The grantees shall execute within three months of the date of the grant a kabulayat in form 'H' appended to land Rev Rules embodying the above mentioned additional conditions.

(8) The plots should be used only for their own bonafide residential purpose

(9) For breach of any of the above conditions the grant shall be liable for cancellation without any notice at the discretion of the Collector

2. The case is required to submit the requisite notification by the order. etc for brie (published in the Regime Gazette.

We have no objection to Govt. 26/9/56 AR PD

~~To~~ Copy fwrs for information to :—

(1) the Dist Commissioner Belgaum (with case papers P 1 & 91)

(2) the Collector N. Kanara, Karwar.

(3) the C.C.F., B'lore.

The draft notification reg disposal of the land may be submitted to Govt for publication in the Gazette.

Copied by

Examined by

(4) the Cons of Forests Belgaum with ref to his expt No. 20/67/6266 of 2-3-57 P 93

(5) the R.D.

List of Enclosures.

WD 0259—GPB—P.Z.S.—1,00,000—23-2-56

(6)

Below No. S-105-VII-419 of 19-11-1956 of the Collector of Kanara, Karwar Re: site for residential purposes in S.No. 46 of Mathadeval, Taluka Sirsi.

****

Public Health Department. No. San/44/449
Sirsi, 8-2-57

Returned with compliments to the Collector of Kanara, Karwar.

The site in question suitable from public health point of view.

Sd/- V. Narayanaswami
Medical Officer of Health,
Kanara East Dn. Sirsi..

Copy to
The S.I., Sirsi.

"copy"

(2)

No. 51057 VII 419

Karwar, 16-2-57

Fdd. w.cs. to the Conservator of Forests, Belgaum Circle Belgaum, with reference to his endt. No. 22/67/6926 of 1956-57 dated 4.3.1956 (P.27).

2. The Collector is competent to grant the forest area to the extent of 5 acres for public purposes. If the Conservator has no objection to the disforestation of the area for public purpose, then it appears that it is not necessary to move Government to sanction the area for the purpose as a special case. I may be informed, whether my presumption is correct.

Sd/-

P.A.
Collector of Kanara.

"copy"

Below No. S-105/VII/419 of 16-2-1957 from the Collector of Kanara, Karwar.

Subject: Request of Shri Bomma Gutya and others of Mathadeval for grant of 1-20-0 acres land out of Mathadeval F.S.No. 46 for gaonthana purpose.

No. 22/67/16266 of 1956-57.
Belgaum, 2-3-1957.

Returned w.cs.

2. It is true that the Collector is competent to grant forest area to the extent of 5 acres for public purposes with the concurrence of the Divisional Forest Officer or the Conservator as the case may be provided that such grant is in accordance with the Government orders contained in Government Resolution Agriculture and Forest Department No. FDM-1054 of 28-1-1955. It has already been made clear in this office No. 22/67/6926 of 4.8.1956(P.27) that the area requested for gaothana purpose does not qualify for grant as it is not denuded one. Hence Government will have to be moved to sanction the area for the purpose as a special case.

Sd/- N.S. Kaikini,
Conservator of Forests,
Belgaum Circle.

"copy"

rln.

(9)

Letter

To

The Secretary to Government,
Agriculture and Forests Department,
Mysore State, Vidhana Soudha, Bangalore.

No.S 105/VII/419 Karwar 30-3-1957
3-4

Subject: Lands: Kanara
Village Gaothan for Harijans
Disforestment of land for
Village Mathadeval, Taluka Sirsi.

I enclose herewith the correspondence ending with endorsement No. 16266 dated 2nd March, 1957 from the Conservator of Forests, Southern Circle and have to state as follows:-

The Harijans of Mathadeval village in Sirsi taluka are in need of gaothana area for residential purposes. As there is no suitable Government waste land in the village, an area of 1-20-0 acres out of forest S.No. 46A of the village, has been selected for the purpose. It is reported that although the area is out of minor forest land, as it contains considerable tree growth of reserve and unreserve species, it cannot be classified as denuded forest land. As such, according to paragraph 11(a) of the Government Resolution, Agriculture and Forests Department No. FDM.1054 dated 28-1-1955 of Bombay Government, the area cannot be ordered to be disforested by me. The Conservator of Forests, Southern Circle, has no objection to disforest the area as a special case as it is required for gaothana purposes.

I therefore, request that Government may please be moved to sanction disforestment of an area of 1-20-0 acres in forest S.No. 46-A of Mathadeval village in Sirsi Taluka. After this is done, suitable plots will be laid out therein and they will be disposed of to the Harijans of the village according to standing orders of Government.

Sd/-
Collector of Kanara.

Submitted through the Divisional Commissioner, Belgaum.

rln.

(10)

Copy of letter No. GB/FOR-SR-7 dated 23-4-1957 from the Divisional Commissioner, Belgaum, addressed to the Collector of Kanara.

****

Subject: Lands: Kanara -- Village gaothan for Harijans.
Disforestment of land for village Mathadeval in Kanara District.

Reference your letter No. S.105/VII 419 dated 3-4-1957 to Government in the Agriculture & Forests Department, Bangalore.

2. The correspondence received along with your letter quoted above does not furnish information on the following points in the absence of which it is not possible to move Government to pass final orders in the matter. You are, therefore, requested to furnish information on the points mentioned below immediately.

i. whether the area proposed for disforestment is at a far off distance from or touches the present village site;

ii. whether there are any vacant plots available for disposal out of the present village site;

iii. Whether there are any Government waste lands available in the villa e for the purpose and if so why they are considered unsuitable;

iv. a combined sketch showing the relative position of the existing gaothan site, the Government waste lands available for disposal for the purpose and the area proposed for disforestment should be enclosed;

v. a sketch showing the layout of plots in the area proposed for disforestment should also be sent.

vi. the total No. of persons in need of plots;

vii. approximate No. of plots likely to be required in future and

viii. the terms and conditions on which the plots are to be disposed of.

No.S. 105/VII/419
Karwar, 2-5-1957.

Copy with the papers forwarded to the Mamlatdar, Sirsi for submitting immediate report on the points, raised by the Commissioner.

The sketches showing the particulars called for by the Commissioner in paras (iv)and (v) should be enclosed in quadruplicate with detailed notes in English thereon.

The information should be supplied before 10-5-1957 without fail.

Sd/-
(P.S. Ulli-Pradhan)
for Collector of Kanara.

"copy"

rln.

(11)

Most Urgent

No. PRB - 4687

Sirsi 8-5-57.

Fd. to the C.O. Hubbal for immediate further action..

2. The information called for by the Commissioner should be furnished point by point in a statement form and the sketches shown in para IV d V should be prepared and enclosed with necessary notes each in quadruplicate. As this is an urgent one, the papers should be resubmitted within 3 days without fail.

Sd/-
for Mamlatdar.

"copy"

(2)

Below bearing No. TRB 4687 dated 10-6-57

No. 504
16-6-1957.

Resubmitted.

2. The information called for under Commissioner's S.D's No. GB/FOR-SR 7 dated 23-4-57 is as detailed below:-

i) The proposed disforestment is at a distance of about ½ a mile from the present village site.

ii) There are no vacant plots out of the village site.

iii) There are Govt. waste lands as shown in the sketch at pages 79 to 86 measuring 20-11-0 at a distance of 1 to 2 miles, but they are not suitable.

iv) Entered at pages 79 to 86

v) Entered at page 67

vi) Five persons have already applied for grant of 0-12-0 each for building sites and now they state that at least an area of each 0-10-0 is quite necessary (vide their statement at pages 75 to 76).

vii) One more plot is required (vide page 77).

viii) They state that the plots may be granted to them on concessional terms as they are backward i.e. Harijans, who have no other places to build their residential houses on free assessment concession of new and impartiable term.

3. One six plots have been laid down and they may be granted to the 6 persons after disforestment as they are all houseless people. Two more plots are required in future.

Sd/-
Circle Officer, Hubbal

No. PRB 4687

Sirsi 19-6-57.

Resubmitted to the Collector of Kanara, Karwar.

2. The required information called for by the Commissioner is furnished point by point on the obverse by the C.O. Hubbal. The sketches and the layout plans are also enclosed as directed.

3. Grant of plots measuring 0-10-0 G to each seems excessive. However, since the encroachers are persisting for grant of plots measuring 0-10-0 G. each, proposals are submitted accordingly. The Village is an interior one and there is no keen demand for building plots except the present applicants (encroachers) and so, no more plots are proposed to be laid out.

Sd/-
19/6
Mamlatdar

No. S105/VII/419
Karwar, 24-6-1957.

Returned.

2. The Mamlatdar did not supply the complete information called for by the Divisional Commissioner though he was

p.t.o.

specifically directed to submit report on all the points. The information on the following points should be furnished forth--with.

(i) whether the area proposed for disforestment touches the present village site?

(ii) why the Govt. waste lands available in the village are considered unsuitable for the purpose.

(14)

Below Sirsi bearing No. TRB 4687 dated 26-6-57

No. 624

Sirsi 27-6-1957

Resubmitted.

2. The replies to the points raised by the Collector of Kanara under His No. S105/VII/419 dated 24-6-57 are given below:-

Point: No. i) There is no village site i.e. gaothana in Mathadeval village. The proposed area after disforestment is about ½ mile from the present habitation of Mathadeval Village.

ii) The area of Govt. waste land is 20-17-0. It is fit for building purpose. But they are considered unsuitable for residential purpose by the applications because they are far away from human habitation of Mathadeval village as shown in the sketch.

iii) There is no Gaothana site in Mathadeval village as reported by the village officer.

iv) Only six persons are in need of building plots and there is no demand from any body in the villager.

v) The applicants have requested for grant of plots of 0-10-0 each after disforestment in the F.S.No. But in view of the Collector's orders, they may be granted plots of 0-5-0 each for residential purpose and it seems also sufficient.

They may be disposed of to the applicants (Harijans) on the following terms and conditions.

1. Free of occupancy price

2. One new & impartiable tenure.

3. The reserved forest trees should be preserved till they are disposed of by the F.D.

4. Usual N.A. assessment should be paid by the applicants at the rate of 0-5-0 per gunta (II class).

5. Public rights if any should be reserved.

6. Buildings should be constructed with two years of the grant

7. They should be constructed in accordance with the existing building rules.

8. If any, of the conditions are contravened by the grantees, they will be liable for cancellation.

Sd/-
Circle Officer, Hubbal.

"copy"

(15)

Below C.O. Hulekal's No. 624 dated 27-6-57.

....

No. TRB-4687
Sirsi, 28-6-1957.

Resubmitted to the Collector of Kanara, Karwar.

2. The information called for is as under:-

(i) Since there is no separate gaonthana assigned to this village, this question does not arise. However the proposed area would be nearly ½ a mile from the residential quarters i.e., in S.Nos. 243 & 47 etc.

(ii) Though the area in Govt. waste lands, viz. S.Nos. 26,36, 227, 228, 230, 231 and 234, is fit for constructing residential quarters, the villagers don't strike on this idea because they would be far away from the other habitations.

(iii) No Gaothana area has been assigned to the said village.
are in need of the plots is only 6. viz. the 5 persons who
(iv) At present the total No. of persons who have already applied and one Marya Kanna of the same village. Since it is not a progressive village, it cannot be expected that there would arise a demand for plots in the near future.

(vi) The plots laid out may be disposed of on the following main conditions:-

a) On in alienable & impartible tenure.

b) Trees of reserved species, if any, should be preserved till their disposal by the Forest Department.

c) Free of occupancy price and free of the price of the revenue trees.

d) The grantees should construct the houses within 2 years of grant in accordance with the building regulations in force.

e) The grantees should pay the annual N.A. assessment of Re.0-5-0 per Gunta and the usual measurement expenses.

f) The plots granted should be used only for their own bona-fide residential purpose.

g) If any of the conditions is contravened by the Grantees, the grant shall be liable for cancellation.

3. In my reference No. even dated 19-6-57 I reported that an area of 10 guntas each would be required by each of the applicants because, some room was required for his cattle shed storing produce and agricultural implements etc. and he would grow some vegetables in the court yard etc. for his use. However, on making further enquiries it appears that 5 guntas for each applicant would be enough for the purpose.

Sd/-
Malatdar Sirsi.

"Copy"

rln.

Below this office No. S. 105-/VII/419 of 24-6-1957.

of residential plots (Reasons should be given)

(iii) Existing gaothana site, if any should be shown in the sketches at pages 79 to 86,

(iv) Total No. of persons., who are in need of plots.

(v) Terms and condition on which the plots are to be disposed of should be reported according to the standing orders of Govt. in R.D.

3. The Malatdar has proposed plots of ten gunatas each on the request of the applicants. This is in ecess of the requirements. Plots of suitable size that is actually required by the applicants should only be proposed.

As the matter is most urgent and the Divisional Commissioneris pressing for immediate report, the Mamlatdar should look into the matter and submit proposals with com--plete information by return of post.

Sd/-
for Collector of Kanara.

No. TRB 4687

Fd. to the c.o. Hulekal for furnishing the information called for by the Collector on the above points by point within 2 days without fail. The exact aera of Govt. waste land in the village should be ascertained from the -and reported. Proposals for grant of plots, each required for construction of a residential house, say 0-5-0 G. each, should be proposed and the sketches and plans drawn accordingly

Sd/-
. Mamlatdar.

"Copy"

rln.

(17)

Below Mamlatdar of Sirsi's endorsement No. TRB 4687 dated 28-6-1957.

No.S. 105/VII/419
Karwar, 12-7-1957.

Submitted to the Divisional Commissioner, Belgaum, with reference to his endorsement No. G.B/FOR-SR-7 dated 23-4-1957 (page 57).

The information called for is furnished as shown below:

(1) There is no separate Gaothana assigned to the village, However, the proposed area is nearly half a mile away from the residential houses situated in S.Nos. 243, 47 etc.

(2) & (3) The Government waste lands viz., S.Nos. 26, 36, 227, 228, 230, 231 and 234 are fit and available for the purpose in the village. But as they are far away from other habitations, the villagers are unwilling to have the same.

(4) A combined sketch showing the relative position of the Government waste lands available for disposal for the purpose and the area proposed for disforestment is enclosed in quadruplicate at pages 79 to 79 C.

(5) A sketch showing the layout of plots in the area proposed for disforestment is enclosed at page 67.

(6) At present, the total number of persons who are in need of plots is only 6 (please vide Mamlatdar's report at page 39).

(7) Since it is not progressive village, it cannot be expected that there would arise any more demand for plots in the near future.

(8) Plots may be ordered to be disposed of free of occupancy price on the following conditions:

(i) The grant shall be on new and impartible tenure.
(ii) The grantees shall pay the non-agricultural assessment to be fixed by the Prant Officer under rule 81(2) of the Land Revenue Rules.
(iii) The Grantees shall paythe usual measurement expenses.
(iv) The grantees shall presefve the tree growth in the area till disposed of by the Forest Department.
(v) The grantees shall construct their houses within 2 years of the grant according to the building regulations in force.
(vi) The grantees shall execute within three months of the date of the grant a Kabulayat in Form 'H' appended to Land Revenue Rules embodying the above mentioned additional conditions.
(vii) The plots should be used only for their own bonafide residential purpose.
(viii) Fore breach of any of the above conditions, the grant shall be liable for cancellation without any notice at the discretion of the Collector.

Sd/-
Collector of Kanara.

"copy"

PROCEEDINGS OF THE GOVERNMENT OF MYSORE

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(18)

Read:-

Letter No. S-105/VII/419 dated 3-4-57 from the Collector of Kanara, proposing to disforest an area of 1 acre & 20 guntas out of F.S. No. 46 A of Mathadeval, Taluk Sirsi, for being assigned for Gaothana.

2. Letter No. GB/FOR/SR-7 dated 19-7-57 from the Divisional Commissioner, Belgaum recommending the proposal of the Collector.

ORDER NO. AFD 56 FLD 57

BANGALORE, DATED, 26.9.57

Government is pleased to direct that an area of 1-20 A-G out of F.S. No. 46 A of Mathadeval, Taluk Sirsi, District North Kanara should be disforested and surrendered to the Revenue Department for being assigned for Gaothana purpose after laying out suitable plots subject to the following conditions:

1. Plots may be disposed of free of occupancy price.
2. The grant shall be on non-transferable and impartible tenure.
3. The Grantees shall pay the non-agricultural assessment to be fixed by the Grant Officer under rule 81(2) of the Land Revenue Rules.
4. The grantees shall pay the usual measurement expenses.
5. The Grantees shall preserve the tree growth in the area till disposed of by the Forest Department.
6. The grantees shall construct their houses within two years of the grant according to the building regulations in force.
7. The grantees shall execute within three months of the date of the grant a Kabulayat in Form 'H' appended to Land Revenue Rules embodying the above mentioned additional conditions.
8. The plots should be used only for their own bonafide residential purpose.
9. For breach of any of the above conditions the grant shall be liable for cancellation without any notice at the discretion of the Collector.

2. The Chief Conservator of Forests is requested to submit the requisite notification for being published in the Mysore Government Gazette.

By order and in the name of the
Governor of Mysore,

(M.N. Gundu Rao)
Deputy Secretary to Government,
Agriculture & Forest Department.

To

The Divisional Commissioner, Belgaum with case papers.
The Collector, North Kanara, Karwar.
The Chief Conservator of Forests in Mysore, Bangalore.
The Conservator of Forests, Belgaum with reference to his endorsement No. 26/67/16266 of 2-3-57.
The Revenue Department.

rln. 21/9.